

**UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
IN THE SOUTHERN DISTRICT OF ILLINOIS
EAST ST. LOUIS DIVISION**

JOHN DOE,)
)
Plaintiff,)
)
Vs.)
)
FREEBURG COMMUNITY)
CONSOLIDATED SCHOOL DISTRICT)
NO. 70, a corporation, CLARENCE)
HAEGE, and LAWRENCE MEGGS,)
)
Defendants,)

3:10-cv-00458-WDS-CJP

PLAINTIFF'S REPLY TO DEFENDANTS' AFFIRMATIVE DEFENSES

Comes now the Plaintiff, John Doe, by and through his attorneys, Weilmuenster Law Group, P.C. and for his Reply to Defendants' Affirmative Defenses states as follows:

AFFIRMATIVE DEFENSES ASSERTED IN COUNT I

1. The Plaintiff is barred from bringing this action due to the statute of limitations.

REPLY: Plaintiff denies Affirmative Defense No.1.

2. That the allegations contained in Plaintiff's Complaint do not rise to the level of willful and wonton acts or acts of deliberate indifference.

REPLY: Plaintiff denies Affirmative Defense No. 2.

3. That the Defendants in this action are immune from the allegations contained in Plaintiff's Complaint pursuant to 105 ILCS 5/24-24 and its companion statutes.

REPLY: Plaintiff denies Affirmative Defense No. 3.

4. That the Defendants are immune from the allegations contained in Plaintiff's Complaint through the Illinois Tort Immunity Act.

REPLY: Plaintiff denies Affirmative Defense No. 4

5. The conduct alleged by the Plaintiff in this Complaint did not rise to the level of a constitutional violation.

REPLY: Plaintiff denies Affirmative Defense No. 5.

AFFIRMATIVE DEFENSES ASSERTED IN COUNT II

1. The Plaintiff is barred from bringing this action due to the statute of limitations.

REPLY: Plaintiff denies Affirmative Defense No. 1

2. That the allegations contained in Plaintiff's Complaint do not rise to the level of willful and wonton acts or acts of deliberate indifference.

REPLY: Plaintiff denies Affirmative Defense No. 2.

3. That the Defendants in this action are immune from the allegations contained in Plaintiff's Complaint pursuant to 105 ILCS 5/24-24 and its companion statutes.

REPLY: Plaintiff denies Affirmative Defense No. 3.

4. That the Defendants are immune from the allegations contained in Plaintiff's Complaint through the Illinois Tort Immunity Act.

REPLY: Plaintiff denies Affirmative Defense No. 4.

5. The conduct alleged by the Plaintiff in this Complaint did not rise to the level of a constitutional violation.

REPLY: Plaintiff denies Affirmative Defense No. 5.

AFFIRMATIVE DEFENSES ASSERTED IN COUNT III

1. The Plaintiff is barred from bringing this action due to the statute of limitations.

REPLY: Plaintiff denies Affirmative Defense No. 1.

2. That the allegations contained in Plaintiff's Complaint do not rise to the level of willful and wonton acts or acts of deliberate indifference.

REPLY: Plaintiff denies Affirmative Defense No. 2.

3. That the Defendants in this action are immune from the allegations contained in Plaintiff's Complaint pursuant to 105 ILCS 5/24-24 and its companion statutes.

REPLY: Plaintiff denies Affirmative Defense No. 3.

4. That the Defendants are immune from the allegations contained in Plaintiff's Complaint through the Illinois Tort Immunity Act.

REPLY: Plaintiff denies Affirmative Defense No. 4.

5. The conduct alleged by the Plaintiff in this Complaint did not rise to the level of a constitutional violation.

REPLY: Plaintiff denies Affirmative Defense No. 5.

AFFIRMATIVE DEFENSES ASSERTED IN COUNT IV

1. The Plaintiff is barred from bringing this action due to the statute of limitations.

REPLY: Plaintiff denies Affirmative Defense No. 1.

2. That the allegations contained in Plaintiff's Complaint do not rise to the level of willful and wonton acts or acts of deliberate indifference.

REPLY: Plaintiff denies Affirmative Defense No. 2.

3. That the Defendants in this action are immune from the allegations contained in Plaintiff's Complaint pursuant to 105 ILCS 5/24-24 and its companion statutes.

REPLY: Plaintiff denies Affirmative Defense No. 3.

4. That the Defendants are immune from the allegations contained in Plaintiff's Complaint through the Illinois Tort Immunity Act.

REPLY: Plaintiff denies Affirmative Defense No. 4.

5. The conduct alleged by the Plaintiff in this Complaint did not rise to the level of a constitutional violation.

REPLY: Plaintiff denies Affirmative Defense No. 5.

AFFIRMATIVE DEFENSES ASSERTED IN COUNT V

1. The Plaintiff is barred from bringing this action due to the statute of limitations.

REPLY: Plaintiff denies Affirmative Defense No. 1.

2. That the allegations contained in Plaintiff's Complaint do not rise to the level of willful and wonton acts or acts of deliberate indifference.

REPLY: Plaintiff denies Affirmative Defense No. 2.

3. That the Defendants in this action are immune from the allegations contained in Plaintiff's Complaint pursuant to 105 ILCS 5/24-24 and its companion statutes.

REPLY: Plaintiff denies Affirmative Defense No. 3.

4. That the Defendants are immune from the allegations contained in Plaintiff's Complaint through the Illinois Tort Immunity Act.

REPLY: Plaintiff denies Affirmative Defense No. 4.

5. The conduct alleged by the Plaintiff in this Complaint did not rise to the level of a constitutional violation.

REPLY: Plaintiff denies Affirmative Defense No. 5.

AFFIRMATIVE DEFENSES ASSERTED IN COUNT VI

1. The Plaintiff is barred from bringing this action due to the statute of limitations.

REPLY: Plaintiff denies Affirmative Defense No. 1.

2. That the allegations contained in Plaintiff's Complaint do not rise to the level of willful and wonton acts or acts of deliberate indifference.

REPLY: Plaintiff denies Affirmative Defense No. 2.

3. That the Defendants in this action are immune from the allegations contained in Plaintiff's Complaint pursuant to 105 ILCS 5/24-24 and its companion statutes.

REPLY: Plaintiff denies Affirmative Defense No. 3.

4. That the Defendants are immune from the allegations contained in Plaintiff's Complaint through the Illinois Tort Immunity Act.

REPLY: Plaintiff denies Affirmative Defense No. 4.

5. The conduct alleged by the Plaintiff in this Complaint did not rise to the level of a constitutional violation.

REPLY: Plaintiff denies Affirmative Defense No. 5.

AFFIRMATIVE DEFENSES ASSERTED IN COUNT VII

1. The Plaintiff is barred from bringing this action due to the statute of limitations.

REPLY: Plaintiff denies Affirmative Defense No. 1.

2. That the allegations contained in Plaintiff's Complaint do not rise to the level of willful and wonton acts or acts of deliberate indifference.

REPLY: Plaintiff denies Affirmative Defense No. 2.

3. That the Defendants in this action are immune from the allegations contained in Plaintiff's Complaint pursuant to 105 ILCS 5/24-24 and its companion statutes.

REPLY: Plaintiff denies Affirmative Defense No. 3.

4. That the Defendants are immune from the allegations contained in Plaintiff's Complaint through the Illinois Tort Immunity Act.

REPLY: Plaintiff denies Affirmative Defense No. 4.

5. The conduct alleged by the Plaintiff in this Complaint did not rise to the level of a constitutional violation.

REPLY: Plaintiff denies Affirmative Defense No. 5.

AFFIRMATIVE DEFENSES ASSERTED IN COUNT VIII

1. The Plaintiff is barred from bringing this action due to the statute of limitations.

REPLY: Plaintiff denies Affirmative Defense No. 1.

2. That the allegations contained in Plaintiff's Complaint do not rise to the level of willful and wonton acts or acts of deliberate indifference.

REPLY: Plaintiff denies Affirmative Defense No. 2.

3. That the Defendants in this action are immune from the allegations contained in Plaintiff's Complaint pursuant to 105 ILCS 5/24-24 and its companion statutes.

REPLY: Plaintiff denies Affirmative Defense No. 3.

4. That the Defendants are immune from the allegations contained in Plaintiff's Complaint through the Illinois Tort Immunity Act.

REPLY: Plaintiff denies Affirmative Defense No. 4.

5. The conduct alleged by the Plaintiff in this Complaint did not rise to the level of a constitutional violation.

REPLY: Plaintiff denies Affirmative Defense No. 5.

AFFIRMATIVE DEFENSES ASSERTED IN COUNT IX

1. The Plaintiff is barred from bringing this action due to the statute of limitations.

REPLY: Plaintiff denies Affirmative Defense No. 1.

2. That the allegations contained in Plaintiff's Complaint do not rise to the level of willful and wonton acts of deliberate indifference.

REPLY: Plaintiff denies Affirmative Defense No. 2.

3. That the Defendants in this action are immune from the allegations contained in Plaintiff's Complaint pursuant to 105 ILCS 5/24-24 and its companion statutes.

REPLY: Plaintiff denies Affirmative Defense No. 3.

4. That the Defendants are immune from the allegations contained in Plaintiff's Complaint through the Illinois Tort Immunity Act.

REPLY: Plaintiff denies Affirmative Defense No. 4.

5. The conduct alleged by the Plaintiff in this Complaint did not rise to the level of a constitutional violation.

REPLY: Plaintiff denies Affirmative Defense No. 5.

AFFIRMATIVE DEFENSES ASSERTED IN COUNT X

1. The Plaintiff is barred from bringing this action due to the statute of limitations.

REPLY: Plaintiff denies Affirmative Defense No. 1.

2. That the allegations contained in Plaintiff's Complaint do not rise to the level of willful and wonton acts or acts of deliberate indifference.

REPLY: Plaintiff denies Affirmative Defense No. 2.

3. That the Defendants in this action are immune from the allegations contained in Plaintiff's Complaint pursuant to 105 ILCS 5/24-24 and its companion statutes.

REPLY: Plaintiff denies Affirmative Defense No. 3.

4. That the Defendants are immune from the allegations contained in Plaintiff's Complaint through the Illinois Tort Immunity Act.

REPLY: Plaintiff denies Affirmative Defense No. 4.

5. The conduct alleged by the Plaintiff in this Complaint did not rise to the level of a constitutional violation.

REPLY: Plaintiff denies Affirmative Defense No. 5.

Respectfully Submitted,

WEILMUNSTER LAW GROUP, P.C.

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PROOF OF SERVICE

I hereby certify that on September 9, 2010, that the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system.

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/s/ J. Michael Weilmuenster